



image

Atty. Docket No.: 021286-0272501

1644

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>In re the Application of:</b>	)	<b>Group Art Unit:</b> 1644
WALKER R. FORCE et al.	)	<b>Examiner:</b> TBA
<b>Serial No.:</b> 10/040,244	)	<u>Certificate of Mailing Under 37 CFR 1.8</u>
<b>Filed:</b> OCTOBER 26, 2001	)	I hereby certify that this paper and the
<b>Title:</b> ISOLATION AND	)	attached papers are being deposited with the United
CHARACTERIZATION OF HIGHLY ACTIVE	)	States Postal Service as first class mail in an envelope
ANTI-CD40 ANTIBODY	)	addressed to: Director of Patents, U.S. Patent and
	)	Trademark Office, MS: DD, P.O. Box 1450,
	)	Alexandria, VA 22313-1450, on this date.
	)	9/30/03
	)	Date
	)	Karyn F. Massie

TRANSMITTAL

Director of Patents  
MS: DD  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith in the above-identified application are the following documents:

1. Information Disclosure Statement;
2. PTO Form 1449;
3. Cited References; and
4. Return Postcard.

Respectfully submitted,

By: Robert M. Bedgood  
Robert M. Bedgood, Ph.D.  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Force, et al

Serial No: 10/040,244

Filed: October 26, 2001

Title: ISOLATION AND  
CHARACTERIZATION OF  
HIGHLY ACTIVE ANTI-CD40  
ANTIBODY

) Examiner: NYA

)

) Art Unit: 1644

)

)

Certificate of Mailing Under §1.8

)

) I, Karyn F. Massie, hereby certify that this paper  
) or fee is being deposited with the United States  
) Postal Service as Regular Mail Post Office to  
) Addressee service under 37 C.F.R. § 1.8 on the  
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) Director of Patents, MS DD, P.O. Box 1450,  
) Alexandria, VA 22313-1450 on September 30,  
) 2003.

)

By: Karyn F. Massie  
Karyn F. Massie

September 30, 2003

INFORMATION DISCLOSURE STATEMENT

Director of Patents  
MS: DD  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached is Form PTO-1449 listing the enclosed citations submitted in compliance with the duty of disclosure as defined in 37 C.F.R. §1.56.

Contingent Request Under Rule 97(c): Should a first action on the merits have been issued on the same day or before this Information Disclosure Statement is filed, please accept this Information Disclosure Statement under Rule 97(c) and charge the requisite Rule

17(p) fee to our Deposit Account No. 50-2212, under the above Attorney Docket No., and proceed to consider this Information Disclosure Statement.

This IDS is intended to be in full compliance with the rules, but should the Examiner find any part of its required content to have been omitted, prompt notice to that effect is earnestly solicited, along with additional time under Rule 97(f), to enable Applicant to comply fully.

This Information Disclosure Statement is not to be constructed as a representation that any of the listed citations establishes, by itself or in combination with other information, a prima facie case of unpatentability of any claim in the above-identified patent application. Additionally, in accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made, or that additional information unknown to the Applicant and relevant to the examination of this patent application does not exist.

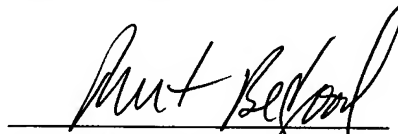
Consideration of the foregoing and enclosures plus the return of a copy of the enclosed Form PTO-1449 with the Examiner's initials in the left column per MPEP 609 are earnestly solicited along with an early action on the merits.

Applicant believes no fee is due at this time, however, if applicant is mistaken, the Assistant Commissioner of Patents is hereby authorized to charge any fees that may be necessary to Deposit Account No. 50-2212, Order No. 021286-0272501.

Respectfully submitted,

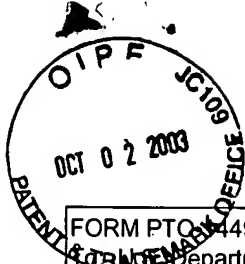
Date: \_\_\_\_\_

9-30-03



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FORM PTO-1449 (modified) U.S. Department of Commerce (PW FORM PAT-1449) Patent and Trademark Office	Atty. Dkt. No.	M#	Client Ref.
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	021286-0272501	
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>	Applicant: Force, W., et al.
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	Appln. No.: 10/040,244
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	Filing Date: October 26, 2001
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Date: September 30 2003	Page	1	of	2	Examiner: NYA	Group Art Unit: 1644
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**U.S. PATENT DOCUMENTS**

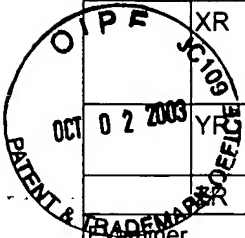
Examiner's Initials*	Document Number	Date MM/YYYY	Name (Family Name of First Inventor)	Class	Sub Class	Filing Date (if appropriate)
	AR 5,677,165	10/1997	de Boer, et al.			05/28/93
	BR 5,786,456	07/1998	Ledbetter, et al.	530	388.73	09/20/93
	CR 5,801,227	09/1998	Fanslow, III, et al.			09/08/95
	DR 5,874,082	02/1999	de Boer, et al.,			02/23/96
	ER 6,004,552	12/1999	de Boer, et al.	424	144.1	06/05/95
	FR 6,051,228	04/2000	Aruffo, et al.	424	144.1	02/19/98
	GR 6,150,584	11/2000	Kucherlapati, et al.			
	HR					
	IR					
	JR					

**FOREIGN PATENT DOCUMENTS**

		Document Number	Date MM/YYYY	Country	Inventor Name		Abstract		Readily Available	
							Enclosed	No	Enclose	No
	KR	WO 99/42075	08/26/99	PCT						
	LR	WO 01/83755 A2	11/2001	PCT	Mikayama, T., et al.	C12N 15/13				
	MR	WO 01/83755 A3	11/2001	PCT	Mikayama, T., et al.	C12N 15/13				
	NR	WO 02/28904 A2	04/2002	PCT	Chu, K., et al.	C07K 16/28				
	OR									
	PR									
	QR									
	RR									
	SR									
	TR									

**OTHER (Including in this order Author, Title, Periodical Name, Date, Pertinent Pages, etc.)**

UR	Stamenkovic, et al., "A B-lymphocyte activation molecule related to the nerve growth factor receptor and induced by cytokines in carcinomas", <u>The EMBO Journal</u> , (1989), No. 5, pp. 1403-1410,			
VR	Clark, et al., "CDw40 and BLCa-specific monoclonal antibodies detect two distinct molecules which transmit progression signals to human B lymphocytes", <u>Eur. J. Immunol.</u> , (1988), Vol. 18, 451-457.			



	WR	Ledbetter, et al., "Augmentation of Normal and Malignant B Cell Proliferation by Monoclonal Antibody to the B Cell-Specific Antigen BP50 (CDW40)", <u>The Journal of Immunology</u> , (Feb. 1, 1987), Vol. 138, No. 3, pp. 788-794.				
	XR	Clark, et al., "Activation of human B cells mediated through two distinct cell surface differentiation antigens, Bp35 and Bp50", <u>Proc. Natl. Acad. Sci. USA</u> , (June 1986), Vol. 83, pp. 4494-4498.				
	YR	Paulie, et al., "A p50 surface antigen restricted to human urinary bladder carcinomas and B lymphocytes", <u>Cancer Immunology Immunother</u> , (1985), Vol. 20, pp. 23-28.				
Examiner		Date Considered:				
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.						